

FAX TRANSMISSION**DATE:** December 16, 2003**CLIENT NO.:** M4065.0432**URGENT***Legal Innovators***MESSAGE TO:** Examiner Nguyen**COMPANY:** U.S. Patent and Trademark Office**FAX NUMBER:** (703) 872-9306**PHONE:** _____**FROM:** Michael Bergman**PHONE:** (202) 777-2588**PAGES (Including Cover Sheet):** 19 **HARD COPY TO FOLLOW:** YES X **NO****SENT BY:** _____**DATE/TIME:** _____**MESSAGE:**Atty Docket No.: **M4065.0432/P432****Inventor:** Andrew M. Lever**Application No.:** 09/819,626-Conf. #4425**Filing Date:** March 29, 2001**Title:** LOW INJECTION CHARGE PUMP**Documents Filed:**Confirmation of Telephonic Communication and Resubmission of Previously Filed Amendment under
37 C.F.R. § 1.116

Copy of date-stamped postcard

Copy of Form PTO-203B; Copy of Transmittal form

Copy of Fee Transmittal form; Copy of Request for Extension of Time

Copy of Amendment under 37 C.F.R. § 1.116

Via:**Sender's Initials:** TJD/MB/kmc**Date:** 16 DEC 2003

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Docket No.: M4065.0432/P432
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Andrew M. Lever

Application No.: 09/819,626

Confirmation No.: 4425

Filed: March 29, 2001

Art Unit: 2816

For: LOW INJECTION CHARGE PUMP

Examiner: L. Nguyen

**CONFIRMATION OF TELEPHONIC COMMUNICATION AND
RESUBMISSION OF PREVIOUSLY FILED
AMENDMENT UNDER 37 C.F.R. § 1.116**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This will serve to confirm a telephonic communication between Applicant's representative and the Examiner in the above-captioned patent application on December 16, 2003. During the course of the telephonic communication, the Examiner indicated that the Amendment under 37 C.F.R. § 1.116 filed on November 17, 2003 has not yet been matched to the application file at the United States Patent and Trademark Office. The Amendment was filed in response to an Office Action dated July 16, 2003 (Paper No. 13).

Pursuant to the Examiner's request, Applicant now submits a supplemental copy of the Amendment. Also enclosed is a copy of corresponding transmittal papers, including a receipt postcard bearing the official date stamp of the United States Patent and Trademark Office.

1705223 v1; 10JRH011.DOC

Application No.: 09/819,626

Docket No.: M4065.0432/P432

All pending claims are believed to be patentably distinguishable over the prior art and in immediate condition for allowance. Accordingly, prompt entry of the proposed claim amendments and allowance of all claims is earnestly solicited.

Dated: 16 DEC 2003

Respectfully submitted,

By 

Thomas J. D'Amico

Registration No.: 28,371

Michael Bergman

Registration No.: 42,318

DICKSTEIN SHAPIRO MORIN &

OSHINSKY LLP

2101 L Street NW

Washington, DC 20037-1526

(202) 785-9700

Attorneys for Applicant

COPY

Inventor: Andrew M. Lever

Atty Docket No.: M4065.0432/P432

Application No.: 09/819,626-Conf. #4425
Title: LOW INJECTION CHARGE PUMP

Filing Date: March 29, 2001

Documents Filed:

Payment by credit card. Form PTO-2036 is attached (1 page) Charge \$110.00 to credit card

Transmittal (1 page)

Fee Transmittal (1 p.)

One Month Request for Extension of Time Under 37 CFR 1.136(a) (2 pages)

Amendment Under 37 CFR § 1.116 (10 pages)

Via:

Sender's Initials: TJD/MB/jmr

Date:

17 NOV 2003

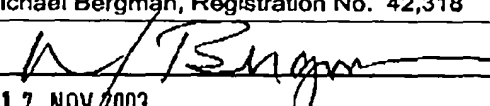
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1645834 v1: 28XM011.DOC

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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number	09/819,626-Conf. #4425
		Filing Date	March 29, 2001
		First Named Inventor	Andrew M. Lever
		Art Unit	2816
		Examiner Name	L. Nguyen
Total Number of Pages in This Submission		Attorney Docket Number	M4065.0432/P432

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached (PTO-2038) <input checked="" type="checkbox"/> Amendment/Reply <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
		Remarks
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP Thomas J. D'Amico, Registration No. 28,371 Michael Bergman, Registration No. 42,318	
Signature		
Date	17 NOV/2003	

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PTO/SB/17 (10-02)

Approved for use through 10/31/2002. OMB 0851-0032

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2003		Complete If Known																																																																																																																																																																																				
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<input type="checkbox"/> Check <input checked="" type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None <input checked="" type="checkbox"/> Deposit Account Deposit Account Number: 04-1073 Deposit Account Name: Dickstein Shapiro Morin & Oshinsky LLP The Commissioner is hereby authorized to: (check all that apply) <input checked="" type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments <input checked="" type="checkbox"/> Charge any additional fee(s) during the pendency of this application <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.		3. ADDITIONAL FEES <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Large Entity Fee Code</th> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee Code</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>1051</td><td>130</td><td>2051</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>1052</td><td>50</td><td>2052</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>1053</td><td>130</td><td>1053</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>1812</td><td>2,520</td><td>1812</td><td>2,520</td><td>For filing a request for ex parte reexamination</td><td></td></tr> <tr><td>1804</td><td>920*</td><td>1804</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>1806</td><td>1,840*</td><td>1805</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>1251</td><td>110</td><td>2251</td><td>55</td><td>Extension for reply within first month</td><td>110.00</td></tr> <tr><td>1252</td><td>410</td><td>2252</td><td>205</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>1253</td><td>930</td><td>2253</td><td>465</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>1254</td><td>1,450</td><td>2254</td><td>725</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>1255</td><td>1,970</td><td>2255</td><td>985</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>1401</td><td>320</td><td>2401</td><td>160</td><td>Notice of Appeal</td><td></td></tr> <tr><td>1402</td><td>320</td><td>2402</td><td>160</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>1403</td><td>280</td><td>2403</td><td>140</td><td>Request for oral hearing</td><td></td></tr> <tr><td>1451</td><td>1,510</td><td>1451</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>1452</td><td>110</td><td>2452</td><td>55</td><td>Petition to revive - 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